

Specification Objections

The Examiner has objected to the disclosure because of a formality. Specifically the Examiner indicates that on Page 29, Line 25, “out-point” should be changed to “in-point”. In response, Applicant questions such objection because the remainder of that paragraph extending from Page 29, Line 24 through 33 discuss the details of the out-point Packet. Additionally, Page 30, Lines 10 through 30 discuss the constraints for an in-point adapter. Accordingly, it appears that out-point adapter and in-point adapter constraints are dealt with in separate sections of the specification. Clarification of the Examiners’ objection is respectfully requested if the objection is sustained.

Drawing Rejections

The Examiner has objected to the drawings. Specifically, a few items in Fig. 12 are objected to; however, Applicant provides the following explanation for not making the proposed changes. Firstly, the Examiner objected to element 1212, “SMPTE 312u” should be changed to “SMPTE312M”. In response Applicant indicates that the alleged lower case u is in fact a capital M and it is the Examiner’s interpretation of attorneys handwriting that has caused the alleged objection. Specifically, Applicant directs Examiner to other occurrences of a capital M in Fig. 12 (for example the word STREAM in element 1205, 1260, 1235, 1240 and 1215). In each of those instances, the M concluding the word “STREAM” appears to look like a lower case u but is not. Further, the intended wording in element 1212 was in fact “SMPTE312M”. As such, no correction is deemed necessary and Applicant respectfully requests withdrawal of objection regarding this specific matter.

The Examiner has further indicated that in element 1215, “ENTRY” should be changed to “EXIT”. In response, Applicant notes that Applicant’s file copy of FIG. 12 does not show the word “ENTRY” in element 1215, but the word “EXIT”. Such language corresponds to Page 27, Lines 3 through 9 of the specification where it is stated that, “at step 1215 a portion of the stream ending with the out-point or exit frame is decoded”. As such, it is submitted that element 1215 corresponds to the written specification and there are no errors as the figure currently stands. Should the Examiner sustain the rejection, clarification of the Examiner’s point is respectfully requested.

Rejection of Claims 1-2, 6, 9-10, 14, 17-18 and 22
under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-2, 6, 9-10, 14, 17-18, and 22 as being anticipated by U.S. Patent 6,104,441, issued August 15, 2000 to Wee et al. The rejection is respectfully traversed.

Wee et al. does not teach or disclose the specific method and apparatus on the subject invention. That is, processing of transport streams in the manner claimed and the resultant stream to be concatenated to another stream at the time of such concatenation or splicing is not shown in the prior art. Specifically, referring to Column 11, Lines 7-32, the image domain processing discussed in Wee is entirely directed to a sequence in which an anchor frame for several predicted frames is not included within a sequence of frames to be concatenated, giving rise to the problem of inability to predict frames since the anchor frame is no longer there. This is notoriously well known in the art as being a problem. As indicated in the reference, the first frame of a concatenated sequence of frames should be an I frame. If the first frame is not an I frame than some processing must occur to insure that the first frame is an I frame. This has absolutely nothing to do with the present invention. The present invention, per claim 1, is a method for processing a transport stream such that a splice point adapter is generated. It is important to note that an out-frame is the last frame within a stream prior to the concatenation to another stream (see Specification Page 7, Lines 18-20). No such adapter is created by the teachings of Wee..

In essence the prior art fails to discuss the processing of a transport stream prior to the splicing of this transport stream such that a subsequent splicing operation may be effected in a substantially seamless manner. The prior art deals specifically with insuring that the first frame of a new stream is an I frame, thereby avoiding motion vector prediction errors. These are entirely different matters. Further, the deficiencies of such splicer schemes were identified and discussed in the Background (Page 2, Lines 1-23). Accordingly, the problem associated with the prior art has not been addressed by Wee, nor does Wee teach or disclose a solution to this problem that results in a splicer-point adapter as claimed.

Therefore, the Applicant respectfully submits that the above-identified claims fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

Rejection of claims 3-4, 7-8, 11-12, 15-16, 19-20 and 23-24 under 35 U.S.C. § 103

The Examiner has rejected claims 3-4, 7-8, 11-12, 15-16, 19-20 and 23-24 as being unpatentable over Wee in view of U.S. Patent No. 5,917,830 issued June 29, 1999 to Chen et al. The rejection is respectfully traversed.

Each of the above-identified rejected claims under 35 U.S.C. § 103 are claims that depend either directly or indirectly from independent claims 1, 9 or 17 and recite additional features of the invention. As such, it is submitted that no combination of Wee plus any additional prior art (and this particular example Chen) can be used to arrive at a conclusion of obviousness with respect to these claims. Specifically, since Wee does not teach or disclose the disclosed manipulation of outframe images to arrive at a splice point adapter, it would not have been obvious to one of ordinary skill in the art to incorporate any additional teachings with Wee to arrive at the subject invention. As such, it is submitted that these dependent claims are patentable under the statute.

Allowable Subject Matter

The Examiner has indicated that claims 5, 13 and 21 are objected to as being dependent upon a rejected base claim (1, 9 and 17 respectively) but would be allowable if the dependent claims were appropriately rewritten. In response, Applicant thanks the Examiner for indication of allowable subject matter. However, Applicant has previously addressed the specific references and rejections resulting therefrom and submit that the independent claims from which these objected to claims rely upon are patentable. Accordingly, no such amendments are made at this time and reconsideration is respectfully requested.

Conclusion

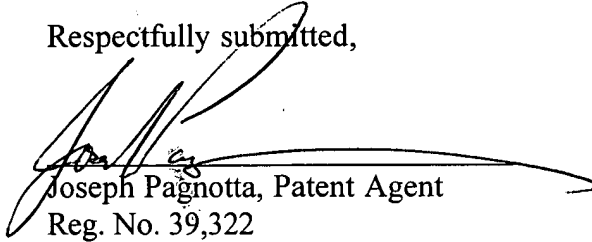
Thus, the applicant submits that none of the claims, presently in the application, is anticipated under the provisions of 35 U.S.C. § 102 or obvious under the provisions of 35 U.S.C. § 103. Furthermore, the applicant(s) also submit that all of these claims now fully satisfy the requirements of 35 U.S.C. § 112. Consequently, the applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner

telephone Mr. Joseph Pagnotta at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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